

#3  
Docket No. 21906-0703

**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[ ] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner \_\_\_\_\_ at Facsimile No. \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

Dated: October 19, 2001

Name of Person Certifying: \_\_\_\_\_

Printed Name: LAER BARRETT *Laer Barrett*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Peter Phaal

Assignee: Inmon Corporation

Filing Date: 05/07/2001

Examiner: Unassigned

Serial No.: 09/850,202

Group Art Unit:

Title: **TRAFFIC DRIVEN SCHEDULING OF ACTIVE TESTS**

BOX MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

**Submission of Missing Parts of Application Under 37 C.F.R. 1.53**

Sir:

In response to the Notice of Missing Parts of Application mailed on July 5, 2001, enclosed are the following items for filing in the above-referenced U.S. Patent Application:

- ☒ Declaration and Power of Attorney [ ] page(s)  
Payment for surcharge for late filing ☒ \$65.00 *small entity* ☐ \$130.00 *large entity*
- ☒ A Petition for Extension of Time. (one month), [2] page(s) Fee \$55.00.
- ☒ Applicant(s) claim Small Entity Status under 37 CFR § 1.27.
- ☒ Copy of Notice to File Missing Parts of Nonprovisional Application dated July 5, 2001.
- ☐ Request for Refund under 37 CFR 1.28(a) for the overpayment of the filing fee and surcharge.
- ☒ Return Postcard.


**TOTAL FEES: \$538.00**

- ☒ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.
- ☒ Check in the amount of \$483.00 to cover the Total Fees due is enclosed.
- ☒ Check in the amount of \$55.00 to cover the Petition for Extension of Time is enclosed.
- ☐ Please charge the above fee(s) to Deposit Account No. \_\_\_\_\_, Docket No. \_\_\_\_\_, in the amount of \$ \_\_\_\_\_ to cover the above fees. *A duplicate copy of this sheet is attached.*
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 50-1192, Docket No. 21906-0703.  
*A duplicate copy of this sheet is enclosed.*

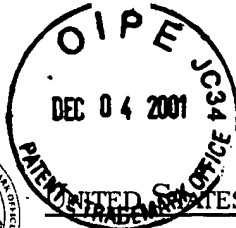
Having now complied with all of the requirements of 37 C.F.R. 1.53, applicant respectfully requests that this application be placed upon the files for examination.

Date: October 19, 2001

Respectfully submitted,

By:   
Vincent Yip  
Registration No. 42,245

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/850,202	05/07/2001	Peter Phaal	21906-0703

CONFIRMATION NO. 9730

## FORMALITIES LETTER



\*OC000000006261588\*

Vincent K. Yip  
McCutchen, Doyle, Brown & Enersen, LLP  
18th Floor  
Three Embarcadero Center  
San Francisco, CA 94111

Date Mailed: 07/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/06/2001 BABRAHA1 00000001 501192 09850202

FILED UNDER 37 CFR 1.53(b)

01 FC:203		63.00 DP
02 FC:205		65.00 DP
03 FC:201	15.00 CH	355.00 DP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$63.
  - \$63 for 7 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 483.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE